

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

RODNEY DOWNIE,

Plaintiff,

VS.

JIMMY FALCO, et al.,

Defendants.

$$\begin{array}{c} ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \end{array}$$

) CIVIL ACTION NO. 2:06cv313-WHA

## ORDER

The Defendants' Motion for Summary Judgment (Doc. # 14), filed on July 31, 2007, will be deemed submitted to this Court on August 28, 2007, without oral argument. If either party desires oral argument, such party should so notify the Court and opposing counsel by August 28, 2007. If, after considering the parties' submissions, the Court finds oral argument is necessary, a hearing will be scheduled, and the parties will be notified of the date of the hearing.

Affidavits, briefs, depositions, or other documents which the Plaintiff wishes to file in opposition to said motion shall be filed on or before August 21, 2007.

The Defendants shall have until August 28, 2007, to file any reply they wish to file.

If a document, including a deposition, is to be considered on the issue of summary judgment, a party shall specifically designate which parts of the document are deemed relevant. The designation of parts of depositions shall be by page and line numbers. No parts of documents not so specifically designated will be considered.

DONE this 31st day of July, 2007.

/s/ W. Harold Albritton  
W. HAROLD ALBRITTON  
SENIOR UNITED STATES DISTRICT JUDGE